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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 BENJAMIN GALECKI,
15 Defendant.
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Case No. 2:15-cr-00285-APG-EJY-2

**Stipulation for Extension of Time
to File Defendant's Response to
the Government's Motion to
Substitute and Forfeit Property
(ECF No. 582)
(Sixth Request)**

19 Defendant Benjamin Galecki, through counsel, requests the current July
20 26, 2021 deadline, for Mr. Galecki's Response to the Government's Motion to
21 Substitute and Forfeit Property, be extended by 90-days, with the deadline reset
22 for October 25, 2021. Undersigned counsel is actively negotiating with all
23 relevant parties toward a global resolution of the forfeiture order that would, if
24 successful, negate a Response or, alternatively, result in a defense-prepared
25 proposal approved by Defendants' spouses for the Court's consideration. If all
26 pending negotiations fail, however, Mr. Galecki will then file a Response to the

1 Government's Motion to Substitute and Forfeit Property (ECF No. 582) and may
2 also address the Government's Proposed Final Forfeiture Order (ECF No. 628).

3 This is the sixth request for an extension of time.

4 The 90-day extension is therefore necessary for the following reasons.

5 1. The record is now complete, as the parties have received the
6 transcripts for the two forfeiture status conferences of December 11, 2019 and
7 August 26, 2020. The parties continue to review the complete record to present
8 comprehensive, efficient pleadings and for negotiation.

9 2. All parties—through their respective attorneys—affected by the
10 motion to substitute property, including: Mr. Galecki; his wife Ashley Jett
11 Galecki; co-defendant Charles Burton Ritchie; Mr. Ritchie's wife Stephanie
12 Ritchie; and ZIW, LLC and are actively involved in settlement negotiations. At
13 the Defendants' request, the government proposed a settlement agreement on
14 July 9, 2021, which is being negotiated and countered by Defendants and their
15 spouses. The settlement is anticipated to resolve the forfeiture and substitution.
16 Additional time is necessary for the parties to complete these settlement
17 negotiations, which may involve the government obtaining Department of Justice
18 approval for any ultimate resolution.

19 3. The Bureau of Prisons (BOP) continues to experience delays and
20 difficulty providing confidential legal phone calls. Defense counsel continues to
21 work with staff at Talladega FCI to confidentially discuss settlement negotiation
22 progress with Mr. Galecki. Thus, more time is necessary to consult with Mr.
23 Galecki regarding forfeiture settlement.

24 4. Mr. Galecki is serving his 20-year sentence. The direct appeal
25 challenging his convictions and sentence, in which Mr. Galecki is represented by
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1 other counsel, remains in the briefing stage. *United States v. Galecki*, 9th Cir.
2 No. 20-10288. Mr. Galecki's estimated release date is November 17, 2033.

3 5. On July 19, 2021, undersigned counsel contacted government
4 counsel, Assistant United States Attorney Daniel Hollingsworth, who stated the
5 government does not oppose a 90-day extension.

6 For these reasons, Mr. Galecki asks this Court to extend the deadline by
7 90-days for his response to the Government's Motion to Substitute and Forfeit
8 Property (ECF No. 582), resetting the deadline for October 25, 2021. A proposed
9 order is attached to this stipulation for the Court's convenience.

10 DATED this 19th day of July 2021.

11
12 RENE L. VALLADARES
13 Federal Public Defender

14 /s/ Amy B. Cleary
15 By _____
16 AMY B. CLEARY
Assistant Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

17 /s/ Daniel D. Hollingsworth
18 By _____
19 DANIEL D. HOLLINGSWORTH
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17 /s/ Wendi L. Overmyer
18 By _____
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20 Attorneys for Benjamin Galecki
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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 BENJAMIN GALECKI,

7 Defendant.

Case No. 2:15-cr-00285-APG-EJY-2

**Order Resetting Deadline for
Defendant's Response to the
Government's Motion to
Substitute and Forfeit Property
(ECF No. 582)**

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10 **IT IS HEREBY ORDERED** that the current July 26, 2021 deadline for
11 Defendant's Response to the Government's Motion to Substitute and Forfeit
12 Property (ECF No. 582) is vacated, extended by 90 days, and reset for October 25,
13 2021.

14 **Dated** this 20th day of July 2021.

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17 UNITED STATES DISTRICT COURT JUDGE
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